



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,289	05/17/2005	Thomas Gruber	AT 020069	5987

24737 7590 02/22/2008  
PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER

ANDRAMUNO, FRANKLIN S

ART UNIT	PAPER NUMBER
----------	--------------

2623

MAIL DATE	DELIVERY MODE
-----------	---------------

02/22/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/535,289

Applicant(s)

GRUBER, THOMAS

Examiner

Franklin S. Andramuno

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05/17/09.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05/17/09 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being unpatentable by Orr (US 6,952,236 B2).

Regarding claims 1 and 7, Orr discloses a method and a device (1) for receiving a signal (S) that can be received via a selectable reception channel (**Capture Driver (110) in figure 1**), which signal (S) represents visually presentable video information (**Video Stream (105) in figure 1**) (VI) and text information (TI) contained in the visually presentable video information (VI) (**Teletext Decoder (125) in figure 1**), wherein reception means (12) is provided, which is designed for the channel-selective reception of the signal (S) in a controllable manner as a function of control information (CI) that can be supplied to the reception means (12) (**Closed Captioning decoder (130) in figure 1**), and wherein downstream of the reception means (12) is provided processing means (13), which is designed to process the received signal (S) and to provide the video information (VI) and the text information (TI) (**Display (160) and Closed**

**Captioning Application (190) in figure 1**), and wherein the processing means (13) is equipped with extraction means (17), which is designed to extract the text information (TI) from the visually presentable video information (VI) **(Filter/Isolate Teletext Data (420) in figure 4)**, and wherein programming means (20) is provided, which is located downstream of the extraction means (17) and, using the extracted text information (TI) **(Output Teletext Data (425) in figure 4)**, is designed for the programmable provision of the control information (CI) for the reception means (12) **(Reformat to EIA-608 Format (450) in figure 4)**.

Regarding claims 2 and 8, Orr discloses a method and a device (1) as claimed in claims 1 and 7, wherein the extraction means (17) is equipped with picture storage means (18), which is designed to store at least one picture (P2, P3, P4, P5) of the visually presentable video information (VI) and to supply picture information (PI) **(column 5 lines 5-14)**, representing the at least one picture (P2, P3, P4, P5), and wherein the extraction means (17) is equipped with text filtration means (19) **(Filter/Isolate Teletext data (420) in figure 4)**, which is designed to filter picture information (PI) in respect of the text information (TI) contained in picture information (PI) and to supply the text information (TI) filtered from the picture information (PI) **(Figure 1)**.

Regarding claims 3 and 9, Orr discloses a method and a device (1) as claimed in claims 2 and 8, wherein the text filtration means (19) is designed to recognize at least one text specimen in picture information (PI) **(Teletext Application (145) in figure 1)**,

which is relevant for usage of the extracted text information (TI) in the programming means (20) **(Closed Captioning Application (190) in figure 1)**.

Regarding claims 4 and 10, Orr discloses a method and a device (1) as claimed in claims 2 and 8, wherein the extraction means (17) is equipped with text-information supplementation means (25) **(Teletext decoder (125) in figure 1)**, which is designed to receive partial text information (TPI) from text filtration means (19), and to transmit partial text information (TPI) via a communication channel and to receive at least one item of supplementation text information (CTI) **(Filter (210) in figure 2)**, corresponding to partial text information (TPI), via the communication channel, and to supply the received supplementation text information (CTI) to the text filtration means (19) **(EIA-608 encoder (260) in figure 2)**, and wherein the text filtration means (19) is designed to recognize that the text information (TI) filtered from picture information (PI) is so incomplete that the programmable provision of control information (CI) for reception means (12) is not guaranteed at programming means (20) **(column 2 lines 66-67)**, and which text filtration means (19), as a result of recognizing an incomplete text information (TI) of this kind, is designed to pass on at least a part of the text information (TI) filtered from picture information (PI) as partial text information (TPI) to text-information supplementation means (25) **(column 3 lines 14-28)**, and which text filtration means (19) is designed to receive the supplementation text information (CTI) from the text-information supplementation means (25) and to compile the text information (TI) by supplementing partial text information (TPI) with the received supplementation text information (CTI) **(Column 3 lines 31-34)**.

Regarding claims 5 and 11, Orr discloses a method and a device (1) as claimed in claims 1 and 7, wherein the device is equipped with inputting means (21), which is designed in such a way that activation information (AI), which is provided to activate extraction means (17) can be inputted at the device (**Filter (210) in figure 2**), and wherein the extraction means (17) is designed to interact with inputting means (21) and, if activation information (AI) is present, to start the extraction of text information (TI) from the video information (VI) (**Capture Driver (110) in figure 1**).

Regarding claims 6 and 12, Orr discloses a method and a device (1) as claimed in claims 1 and 7, wherein the programming means (20) is designed to generate and provide the visually presentable supplementary video information (DI) (**Copy Module (220) in figure 2**), which represents the text information (TI) that can be used for the programmable provision of control information (CI) for reception means (12) (**Display (160) in figure 1**), and wherein video-presentation-signal generation means (15) is provided, which, using video information (VI) and supplementary video information (DI) (**Closed Captioning Application (190) in figure 1**), is designed to generate and supply video-presentation signal (VPS), containing both items of information (VI, DI), which is suitable for the joint visual presentation of both information items (VI, DI) (**Column 3 lines 14-28**).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Franklin S. Andramuno whose telephone number is 571-270-3004. The examiner can normally be reached on Mon-Thurs (7:30am - 5:00pm) alternate Fri off (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571)272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
CHRIS KELLEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600